

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**Amendment No. 3 to SB0834**

**Black  
Signature of Sponsor**

**AMEND Senate Bill No. 834**

**House Bill No. 760\***

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-5-101(e), is amended by inserting the following as a new, appropriately designated subdivision thereto:

(5) If a primary residential parent is currently partially or completely unemployed in order to stay home to care for a child who is six (6) years of age or younger, and in fact does stay home to care for the child, then a calculation of income under the child support guidelines shall not include a determination that such parent is a willfully or voluntarily unemployed or underemployed parent, provided that such a determination is in the best interest of the child. In determining the income of that parent, such parent shall not be attributed any income other than income that the parent actually earned during the time period that is being considered by the court in determining the income of each parent. In determining whether a parent should be attributed earned income, the court may consider the past income of the parent, the wealth of that parent, or any other financial holdings of the parent that may provide wealth but may not be providing current income for that parent. As used in this subdivision, "child" means the biological or adoptive child of both of the parties subject to the child support proceeding before the court, and shall not include any child who is the biological or adoptive child of only one (1) of the parties.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.